

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

YVONNE BLOUNT,

Plaintiff(s),

CASE NO.: 2:07-CV-13101

vs.

HON. VICTORIA A. ROBERTS
HON. JUDGE STEVEN D. PEPE

GORDON H. MANSFIELD SECRETARY,
DEPARTMENT OF VETERANS AFFAIRS
Defendant(s).

ORDER DENYING PLAINTIFF'S REQUEST FOR ORAL ARGUMENT (DKT. # 8)

On October 17, 2007, Plaintiff filed a Request for Oral Argument (Dkt. # 8). Plaintiff's request was made in response to Defendant's Answer to Plaintiff's Complaint (Dkts. ## 6, 1). Plaintiff's Complaint, filed on July 24, 2007, alleges that Plaintiff was terminated from her employment with the Department of Veterans Affairs in retaliation for engaging in prior Equal Employment Opportunity activity and for other protected activity (Dkt. # 1, p. 2). On October 5, 2007, Defendant filed its Answer to Complaint with Affirmative Defenses (Dkt. # 6). All pretrial matters, including settlement conference, have been referred to the undersigned pursuant to 28 U.S.C. § 636(b)(1)(A) (Dkt. # 7). For the reasons indicated below, it is **ORDERED** that Plaintiff's motion is **DENIED**.

Plaintiff, who is representing herself *pro se*, seeks oral argument to respond to Defendant's Answer and to "dispute Defendants request to have Plaintiffs complaint dismissed in its entirety with Prejudice" (Dkt. # 8, p. 1). Plaintiff is within her rights to argue her case and

respond to Defendant's arguments and assertions. This is the foundation of our adversarial system. Yet, Plaintiff's Request is not appropriate at this time.

On November 14, 2007, the parties to this suit are scheduled to participate in a telephonic scheduling conference (Dkt. # 9). Pursuant to Federal Rule of Civil Procedure 16, this conference has been convened to take the steps necessary to ensure that this matter is resolved expeditiously and efficiently.¹ Judges overseeing pretrial conferences have wide latitude to address matters affecting the scheduling and planning necessary to resolve a case.² Accordingly, judges may take appropriate action regarding matters that "facilitate the just, speedy, and inexpensive disposition of the case." Fed. R. Civ. P. 16(c)(16).

Plaintiff's Request is premature. Plaintiff may renew her Request with respect to a specific future motion. The scheduling of time limits for gathering and presenting evidence will be determined after the scheduling conference. Accordingly, Plaintiff's Request for Oral Argument is **DENIED**.

The parties to this action may object to and seek review of this Order, but are required to file any objections within ten (10) days of service of a copy hereof as provided for in 28 U.S.C. § 636(b)(1) and E.D. Mich. LR 72.1(d)(2). Any objections are required to specify the part of the Order to which the party objects and state the basis of the objection. Pursuant to E.D. Mich. LR

¹Fed. R. Civ. P. 16(a) provides: In any action, the court may in its discretion direct the attorneys for the parties and any unrepresented parties to appear before it for a conference or conferences before trial for such purposes as:

- (1) expediting the disposition of the action;
- (2) establishing early and continuing control so that the case will not be protracted because of lack of management;
- (3) discouraging wasteful pretrial activities;
- (4) improving the quality of the trial through more thorough preparation, and;
- (5) facilitating the settlement of the case.

²See, Fed. R. Civ. P 16(b)(8):

72.1(d)(2), a copy of any objections is to be served upon this Magistrate Judge. Within ten (10) days of service of any objecting party's timely filed objections, the opposing party may file a response. The response shall be not more than twenty (20) pages in length unless by motion and order such page limit is extended by the Court. The response shall address specifically, and in the same order raised, each issue contained within the objections.

SO ORDERED.

Date: October 26, 2007
Ann Arbor, Michigan

s/Steven D. Pepe
United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that on October 26, 2007, I electronically filed the foregoing paper with the Clerk Court using the ECF system which will send electronic notification to the following: Vanessa Miree Mays, and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: Yvonne Blount, 20555 Avon, Detroit, MI 48219

s/ James P. Peltier
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